

ORDINANCE NO. 12-06

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING THE OFFER FROM COFE FUND 1-PALM SPRINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO PURCHASE A VACANT PARCEL OF LAND OWNED BY THE CITY, FOLIO NO. 04-3002-021-0020, CONSISTING OF 880 SQUARE FEET OF TOTAL AREA, LOCATED ADJACENT TO IMPROVED COMMERCIAL PROPERTY SITUATED AT 1840 WEST 49 STREET, HIALEAH, FLORIDA, FOR THE SUM OF \$15,000.00 AND AUTHORIZING THE MAYOR AND THE ACTING CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO EXECUTE A QUITCLAIM DEED TRANSFERRING TITLE TO THE PROPERTY AND EXECUTING ANY OTHER DOCUMENTS IN FURTHERANCE THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hialeah obtained title to a vacant parcel of land from Miami-Dade County, which acquired title to the property for delinquent taxes, via a tax deed dated April 24, 2003 pursuant to section 197.593(3), Florida Statutes; and

WHEREAS, the City of Hialeah finds it in its best interest to sell the property to the adjacent property owners for \$15,000 since the property is an unbuildable strip of land between two parcels of commercial property having no economic value as an independent parcel of land.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby accepts the offer from Cofe Fund 1-Palm Springs, LLC, a Florida limited liability company, to purchase a vacant

parcel of land owned by the City, Folio No. 04-3002-021-0020, consisting of 880 square feet of total area, located adjacent to improved commercial property situated at 1840 West 49 Street, Hialeah, Florida, for the sum of \$15,000.00 and authorizes the Mayor to execute a quitclaim deed transferring title to the property and executing any other documents in furtherance thereof.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty described above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.


PASSED and ADOPTED this 14th day of February, 2012.



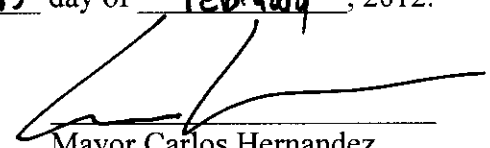
Isis Garcia Martinez
Council President

Attest:

Approved on this 15 day of February, 2012.



David Concepcion, City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".